IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

LPA NO. 122/2007 IN WRIT PETITION NO. 3783 OF 2005

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri C.S. Kaptan, Advocate for the appellants.

CORAM : J.P. DEVADHAR &
B.P. DHARMADHIKAR, JJ.
26TH JUNE, 2007

Heard Advocate Kaptan.

He contends that the learned Single Judge as also School Tribunal have given undue importance to the technical aspect of the matter without appreciating the nature of appointment of the respondents. He contends the provisions of Section 5 sub Section (3) could not have been treated as mandatory and relief of reinstatement could not have been granted.

We have perused the judgment of the School Tribunal and also the impugned order of learned Single Judge. It is apparent that the services of present respondent No.1 who was appointed on probation were attempted to be terminated by an order dated 03.04.2001 with immediate effect. It is, therefore, apparent that termination has been ordered after completion of two

years.

In these circumstances, the reason concurrently given by both the Courts that there was no notice of one month and also in view of the facts stated above, we find no case is made out for interference.

LPA is disposed as such.

JUDGE JUDGE

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